

REMARKS

Summary of the Office Action

Claims 6-9, and 13-29 are pending in the application.

Claims 6-9 stand rejected under 35 U.S.C. § 102(e), as being anticipated by *Tobagi* (U.S. 5,446,735).

Claims 13-19, 21, 22, 24, 26 and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Tobagi* (U.S. Patent 5,523,942).

Claims 20, 23, 25, 28, and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's Response

Applicant has cancelled claims 7, 20, 23, and 25.

Applicant has amended claim 19 to include the features of allowable claim 20, Claim 19, as amended is, in effect, allowable claim 20 re-written in independent form. Allowable claim 28 has been re-written in independent form as suggested by the Examiner in the office action.

Claim 6 has been amended to incorporate the allowed subject matter from claim 20.

Claims 8 and 22 have been amended to change their dependency due to the cancellation of claims 7 and 20.

Applicant submits that the claims of the present application now recite features indicated as being allowable subject matter in the Office Action dated May 16, 2003. Accordingly, the present claims distinguish over the cited art and the application should be passed to issue.

ATTORNEY DOCKET NO.
03498.P033

8

PATENT SERIAL NO.
09/405,821

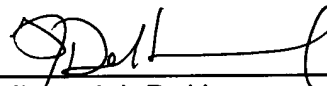
Conclusion

Applicant respectfully submits that the present application is in condition for allowance. Prompt reconsideration and a favorable outcome are requested.

With the addition of no new claims, no additional filing fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 745-5421.

Respectfully submitted,
WINSTEAD SECHREST & MINICK P.C.
Attorneys for Applicants

By: 
Michael J. DeHaemer, Jr.
Reg. No. 39,164

5400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270
(214) 745-5421
Attorney's Docket: 2836- P249p3x1
Date: August 14, 2003

DALLAS_1\38219864
2836-P249P3X1 08/14/2003